

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICHARD LEE LEWIS,

Petitioner

vs.

DAVID MILLER,

Respondent

No. CIV-05-447-C

MEMORANDUM OPINION AND ORDER

As it appears that Petitioner failed to timely remit the required filing through no fault of his own, the Court declines, at this time, to adopt the Report and Recommendation of Magistrate Judge Gary M. Purcell, and instead grants Petitioner an additional period of time within which to remit the filing fee.

Accordingly, the Report and Recommendation of Judge Purcell is held in abeyance, pending receipt of the required filing fee, and Petitioner is granted until June 20, 2005, within which to submit to the Office of the Court Clerk the filing fee of \$5.00, failing which, the action will be dismissed without prejudice.

IT IS SO ORDERED this 31st day of May, 2005.


ROBIN J. CAUTHRON
United States District Judge